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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Schadt and Monks
Application No.: 10/523,143, national stage
filing of PCT/US03/23976
Filed: August 1, 2003
For: COMPUTER SYSTEMS AND
METHODS THAT USE CLINICAL
AND EXPRESSION
QUANTITATIVE TRAIT LOCI TO
ASSOCIATE GENES WITH
TRAITS

Confirmation No: 6414
Art Unit: To be assigned
Examiner: To be assigned
Attorney Docket No.: 9301-211-999
(301891-999203)

TRANSMITTAL OF POWER OF ATTORNEY BY ASSIGNEE

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicant submits herewith an original Power of Attorney By Assignee and Exclusion of Inventor(s) Under 37 C.F.R. §3.71 With Statement Under 37 C.F.R. §3.73(b) for the above-identified application executed by Alan B. Sachs as Vice President of Rosetta Inpharmatics LLC on October 6, 2005. A copy of the Assignment concurrently is submitted for recordation pursuant to 37 C.F.R. §3.11.

No fee is believed due. However, should any fee be required, please charge the required fee to Jones Day Deposit Account No. 503013.

Respectfully submitted,

Date: February 1, 2006

Reg. No. 42,813
Brett J. Jones for
Adriane M. Antler 32,605
(Reg. No.)
JONES DAY
222 East 41st Street
New York, NY 10017-6702
(212) 326-3939



POWER OF ATTORNEY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Schadt and Monks Confirmation No.: 6414

Serial No.: 10/523,143, national stage filing of PCT/US03/23976 Art Unit: To be assigned

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For: COMPUTER SYSTEMS AND METHODS THAT USE CLINICAL AND EXPRESSION QUANTITATIVE TRAIT LOCI TO ASSOCIATE GENES WITH TRAITS Attorney Docket No.: 9301-211-999 (301891-999203)

**POWER OF ATTORNEY BY ASSIGNEE
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71
WITH STATEMENT UNDER 37 C.F.R. 3.73(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints Practitioners at Customer Number 20583 all of Jones Day, whose address is 222 East 41st Street, New York, New York 10017, as its attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 C.F.R. 3.71.

Please direct all correspondence for this application to Customer no. 20583.

Statement Under 37 C.F.R. 3.73(b)

Rosetta Inpharmatics LLC states that it is:

- ☒ the assignee of the entire right, title, and interest; or
☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is %

in the patent application/patent identified above by virtue of either:

- ☒ An assignment from the inventor(s) of the patent application/patent identified above.
A copy of the assignment is attached.

OR

- ☐ A chain of title from the inventor(s), of the patent application/patent identified above,
to the current assignee as shown below:

1. From: To:
The document was recorded in the United States Patent and Trademark Office on
at Reel , Frame , or for which a copy thereof is attached.
2. From: To:

The document was recorded in the United States Patent and Trademark Office on
at Reel , Frame , or for which a copy thereof is attached.

3. From: To:

The document was recorded in the United States Patent and Trademark Office on
at Reel , Frame , or for which a copy thereof is attached.

- ☐ Additional documents in the chain of title are listed on a supplemental sheet.
- ☒ Copies of assignments or other documents in the chain of title are attached.
[Note: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

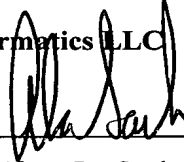
The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

ASSIGNEE: Rosetta Inpharmatics LLC

Date:

10/6/05

Signature:



Typed Name:

Alan B. Sachs
Vice President, MRL and
Rosetta Site-Head

Position/Title:

COPY

JOINT

ASSIGNMENT

WHEREAS, WE, ERIC E. SCHADT AND STEPHANIE A. MONKS, ASSIGNORS, citizens of the United States, residing at 810 5th Street, Kirkland, Washington 98033 and 3414 N. Ramsey Street, Stillwater, Oklahoma 74075, respectively, are the inventors of the invention in COMPUTER SYSTEMS AND METHODS THAT USE CLINICAL AND EXPRESSION QUANTITATIVE TRAIT LOCI TO ASSOCIATE GENES WITH TRAITS for which we have executed an application for a Patent of the United States

☒ which is identified by Jones Day docket no. 9301-211-999

☒ which was filed on August 1, 2003, Application No. 10/523,143, U.S. national stage of International Application No. PCT/US03/23976

and WHEREAS, ROSETTA INPHARMATICS LLC, a limited liability company organized and existing under the laws of the state of Delaware, and having an office for the transaction of business at 401 Terry Avenue North, Seattle, Washington 98108, ASSIGNEE, is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner for Patents and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date 3 October, 2005


Eric E. Schadt

L.S.

Date _____, 2005


Stephanie A. Monks

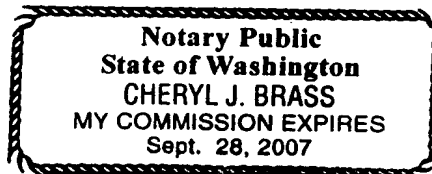
L.S.

State of Washington)
County of King) SS.:

On Oct. 3, 2005, before me, Cheryl J. Brass Notary Public, personally appeared Eric E. Schadt, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal


(Commission Expires 09/28/07)



State of)
County of) SS.:

On _____, 2005, before me, _____ Notary Public, personally appeared Stephanie A. Monks, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

COPY

JOINT

ASSIGNMENT

WHEREAS, WE, ERIC E. SCHADT AND STEPHANIE A. MONKS, ASSIGNORS, citizens of the United States, residing at 810 5th Street, Kirkland, Washington 98033 and 3414 N. Ramsey Street, Stillwater, Oklahoma 74075, respectively, are the inventors of the invention in COMPUTER SYSTEMS AND METHODS THAT USE CLINICAL AND EXPRESSION QUANTITATIVE TRAIT LOCI TO ASSOCIATE GENES WITH TRAITS for which we have executed an application for a Patent of the United States

☒ which is identified by Jones Day docket no. 9301-211-999

☒ which was filed on August 1, 2003, Application No. 10/523,143, U.S. national stage of International Application No. PCT/US03/23976

and WHEREAS, ROSETTA INPHARMATICS LLC, a limited liability company organized and existing under the laws of the state of Delaware, and having an office for the transaction of business at 401 Terry Avenue North, Seattle, Washington 98108, ASSIGNEE, is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner for Patents and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date _____, 2005

Eric E. Schadt

L.S.

Date Sept 27, 2005

Stephanie A. Monks

L.S.

State of _____)
) SS.:
County of _____)

On _____, 2005, before me, _____, Notary Public, personally appeared Eric E. Schadt within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

State of Oklahoma)
County of Payne) SS.:

On Sept 27, 2005, before me, Ira L. Muehler Notary Public; personally appeared Stephanie A. Monks, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Ira L. Muehler
My commission expires July 18, 2008

